

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 18, 2006

DIVISION THREE

B188447 Ellis (Not for Publication)

v.

Latinowide Auto Insurance, et al.

With regard to Latinowide, the appeal is dismissed. With regard to Melendez, the default is vacated and the default judgment reversed. Costs on appeal are awarded to Ellis.

Aldrich, J.

We concur: Klein, P.J.
 Kitching, J.

B10458 People (Not for Publication)

v.

Bradley

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

December 18, 2006 (Continued)

DIVISION FOUR (Continued)

B188565 Boonyarit v. Payless Shoesource, Inc.

Argument waived, cause submitted.

B188086 Gutierrez
v.
Antonocci

Merits:

Argued by Robert W. Bates for appellant and by Raymond R. Moore for respondent. Cause submitted.

B186399 Gulick, et al.
v.
California Insurance Guarantee Association

Merits:

Argued by Anne M. Huarte for appellants and by C. Guerry Collins for respondent. Cause submitted.

Court adjourned.

B185652 People (Not for Publication)
v.
Green

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FOUR (Continued)

B186515 American Environmental Safety Institute
v.
Procter & Gamble Distribution Company
Bill Lockyer

Filed order denying petition for rehearing.

DIVISION SIX

B187332 People (Not for Publication)
v.
Tucker

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B191207 Smith (Not for Publication)
v.
Levine, et al.,

We reverse the order denying the special motion to strike and direct the trial court to enter a new order granting the anti-SLAPP motion. Appellants are awarded costs and reasonable attorney fees for both the motion and the appeal, in an amount to be determined by the trial court on noticed motion. (section 425.16, subd. (c); *Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1131.)

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

December 18, 2006 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

[illegible]

The appeal is dismissed. The petition for writ of mandate is denied. The petition for writ of habeas corpus is denied by separate order

Perren, J.

We Concur: Gilbert, P.J.
Yegan, J.

B188379 People, (Not for Publication)
v.
Ramirez

The judgment is affirmed.

Coffee, J.

We Concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (Continued)

B181107 People (Not for Publication)

V

Roberson

The judgment is affirmed.

Coffee, J.

We Concur: Gilbert, P.J.

Yegan, J.

B190258 People (Not for Publication)

V.

Espinoza

The judgment is reversed and remanded for resentencing. If the trial court again exercises its discretion pursuant to *People v. Superior Court (Romero)*, *supra*, 13 Cal.4th 497, it must set forth sufficient reasons in the court's minutes. The judgment is otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.

Coffee, J.

B186308 The People (Not for Publication)

V.

\$34,863 United States Currency, Deluna

The order granting the forfeiture petition is affirmed. Costs are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.

Yegan, J.

DIVISION SIX (Continued)

B190737 Shimamura (Not for Publication)

v.

Joe W. Vaughn, Nipomo Homes 299, LLC

The order denying the motion to set aside the default and default judgment is affirmed. Respondent is awarded costs on appeal.

Yegan, J.

We Concur: Gilbert, P.J.
Coffee, J.

B191815 Levine (Certified for Publication)

v.

Smith

The judgment (order setting aside default judgment) is affirmed. Respondent is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B190512 People (Not for Publication)

v.

Montoya

The appeal is dismissed.

Woods, J.

We concur: Johnson, Acting P.J.
Zelon, J.

DIVISION SEVEN (Continued)

[illegible]

The appeal is dismissed.

Woods, J.

We concur: Johnson, Acting P.J.
 Zelon, J.

B183051 Tota (Not for Publication)
v.
Heimer et al.,

The judgment is reversed. The matter is remanded to the trial court to enter a new and different order denying the motion for summary judgment and restoring this case to the civil active list. The Totas are entitled to their costs of appeal.

Woods, J.

We concur: Perluss, P.J.
Johnson, J.